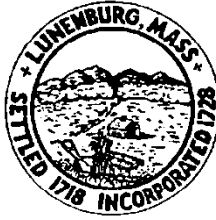


In attendance: Chairman Bursch, John Rabbitt, Ken Jones, Carl Luck, Todd Dwyer, Brad Kennedy, Thomas Bertram, Matthew Marro, Agent.

Town of Lunenburg Conservation Commission

Richard Bursch, Chair
Jack Rabbitt, Vice-Chair
Brad Kennedy
Tom Bertram
Carl Luke
Todd Dwyer
Kenneth Jones



Tel: (978) 582-4146
960 Massachusetts Ave.
Lunenburg, MA 01462

NOTICE OF MEETING

Wednesday, April 20, 2016, 7:00 PM regular meeting
Ritter Memorial Building, 960 Massachusetts Avenue
Lunenburg, MA 01462

AGENDA

Call to Order Announcements Public Comment

Commissioner Bertram noted a walk in the woods is this coming weekend in the Cowdrey meeting at the Ritter in conjunction with the Girl Scouts.

Commissioner Rabbit spoke about the storm water meeting the week previous which focused on public outreach. He noted that DPW is working on fixing difficulties with the cleaning of catch basins. Due to funding there is a possibility DPW may not be able to clean the basins and resolve the issue.

The Chair noted that the advertisement for the Conservation Administrator went out for legal advertisement today. A resident of Royal Fern Drive outlined beaver issues at the cove in his neighborhood. He inquired about beaver removal permits. Mr. Marro outlined the proper procedures for beaver removal permits. The Commission agreed to speak with the Board of Health recommending it.

Commissioner Bertram inquired as to what would be required to remove the dam if the Board of Health issues an emergency permit. Mr. Marro responded that once the Board of Health issues an emergency permit he would issue a Commission emergency Certification but can only do that if the Board of Health issues their own E-cert.

Greg Bittner noted that the state had made the acreage minimum to 2 acres and was concerned that it could open up land to alteration in the guise of farming. Mr. Marro noted that converted land to agriculture would still require a filing with the conservation commission regardless. Gini Albertson appeared before the commission to speak of the butterfly program. She indicated she wanted to build a butterfly pollinator habitat. She had named some of the commission open

In attendance: Chairman Bursch, John Rabbitt, Ken Jones, Carl Luck, Todd Dwyer, Brad Kennedy, Thomas Bertram, Matthew Marro, Agent.

space lots. Commissioner Jones suggested either the Hollis Road or Pleasant Street Conservation areas. The Commission had decided to take seeds and use them on some of the conservation areas to help spread milkweed in the area to facilitate a population increase. The Commission approved the use of the Cowdery, Hollis Road and Pleasant Street to be used for pollinating. Mr. Marro noted that there is a concern being expressed still with respect to 171 Lancaster Ave and he requested the commission accompany him at a scheduled site inspection for this coming Saturday at 9 AM.

Approval of Minutes November 18, 2015 to present

Appointments/Hearings –commences at 7 PM

Pursuant to MGL ch 131, s 40 as amended and the Town of Lunenburg Wetlands Protection and Municipal Bylaws there will be a public hearing on an amended Notice of Intent by Joseph Fortin for replication, driveway and house location at 250 Holman Street

Joseph Fortin Jr. appeared before the commission and dropped off his newest plan and replication narrative. Mr. Luck noted that he and Mr. Marro had walked the site the previous Saturday. Mr. Fortin gave the commission a brief overview of the project and what items are required for an amendment. This included moving the wetland replication area and the site of the house which is placed in a manner to not cut as many trees. Mr. Rabbitt inquired as to the erosion control. Mr. Fortin noted that he would repair all forms of erosion control. The Chair examined the details of the replication and invasive management plan. The Chair and Mr. Marro noted that the order would expire in March of 2017 and he should send a letter requesting another extension. Commissioner Bertram asked Mr. Marro if He had Concerns. Mr. Marro noted none and felt the invasive management plan the applicant agreed to is actually beneficial. Mr. Jones moved to approve the amendment conditional that the replication be completed concurrent with the driveway. Mr. Bertram seconded and the commission voted unanimously

Current Business

1. CONTINUED PUBLIC HEARING:

101 Pleasant Street:

Mr. Rheault representing the applicant noted that Steve Eriksen has flagged the area the commission requested today. He enclosed the sketch and requested the commission do a site walk and review the resource areas. He also noted that large excavated hole on the grounds was filled in as the commission requested. Mr. Rheault noted that it was requested the culvert be left in place as it was noted that removal and complete restoration while there was a pending forest cutting plan made no practical sense.

He felt it was more appropriate to make a restoration plan as part of the order of conditions, and that the conditions could stipulate once before starting plan is completed the areas would be restored completely to the original condition (or as close as possible). Mr. Rheault noted everything was nothing more than temporary and that it was his intention to work out a strict order of conditions requiring complete restoration.

Mr. Rabbitt noted there were real estate listings for houses. Mr. Rheault said his client jumping on the realtor jumped the gun and that those proposals were currently open window. He reiterated that conditions were temporary and the intentions were to restore.

In attendance: Chairman Bursch, John Rabbitt, Ken Jones, Carl Luck, Todd Dwyer, Brad Kennedy, Thomas Bertram, Matthew Marro, Agent.

Mr. Bertram and the chairman expressed concern over the culvert size. Mr. Rheault said he would calculate the proper culvert size. The chairman indicated he would like to see proper size. Mr. Dwyer was concerned about any permissions the commission gave as rewarding bad behavior. Mr. Marro stressed if a strict order of conditions were enacted. We could make them start over. The chairman inquired if we could bond. His representative spoke about sequences of conditions.

Paula Bertram, said that we could consider a bond and that we should consider a bond. Mr. Rabbitt pointed out there have been fines levied. Mr. Rheault Said his intent was restoration and for bringing compliance with the forest cutting plan and the order of conditions.

Mr. Bittner of 129 Pleasant St. was inquiring as to why the fine was for working buffer zone and not wetland. The chairman noted the newly demarcated wetlands will become part of the new filing. Mr. Bittner inquired if a culvert would be required. He also made a concern known about land being cleared that may not be temporary. The chairman noted that as the work was on the buffer zone it would be required to be replaced. Mr. Bittner inquired if a timeline could be placed on this project. The chairman agreed with that concept.

- 2. Signatures on documents to be issued.**
- 3. Certificate of Compliance – 103 Island Road, 226 Page Street**
- 4. Items concerning Stone Farm:**

The chairman and Mr. Marro recounted an inspection of stone Farm and noted some corrective actions inclusive all cleaning the detention basin and catchphrase and as well as erosion protection adjustments. Commissioner Rabbitt and Mr. Marro indicated a concern about underground storage propane tanks. It was noted by the commission that the order of conditions actually was intended for oil and gas as a liquid and not propane. William Kinirey noted that the Order is not excluding propane. It was decided by the commission the order of conditions did not intend to include propane. Mr. Marro also noted the as built plan and detention basin maintenance should be done so as possible. Mr. Marro noted he intends to notify Lisciotti Development for the list of items that need to be corrected. Mr. Bertram moved to allow Mr. Marro to move forward, Mr. Luck seconded and the Commission voted unanimously.

5. Lake Shirley Management Plan.:

Dominic Meringolo represented the applicant. He went through the basics of the plan submitted outlining how prior treatment techniques were handled as opposed to new potential treatment techniques. Mr. Luck felt the plan needed to be fleshed out on its options and felt the chemical treatment is an option that should be avoided as a goal. He felt that nonchemical options should be pursued. Mr. Jones and Mr. Bertram noted there was a lot of data compiled and that the data should be interpreted and a treatment strategy that minimizes the use of chemicals if possible along with other strategies be planned for. JoAnna Simeone spoke about how there is little money and volunteers is necessary and both JoAnna and Paula Bertram indicated resources are maximized to make these efforts happen. Ron Wilson of Lake Shirley campground also noted the limited amount of resources available from a money perspective. After some discussion it was decided the first meeting in May would be optimal. Mr. Luck noted that an annual report was still due. Mr Rabbitt indicated he would like to see well monitoring

In attendance: Chairman Bursch, John Rabbitt, Ken Jones, Carl Luck, Todd Dwyer, Brad Kennedy, Thomas Bertram, Matthew Marro, Agent.

which was refused by the LSIC. Mr. Luck moved to continue the meeting to May 4, 2016 to which Mr. Dwyer second and the commission voted unanimously.

Commissioner Rabitt asked both selectmen Bertram and Ebersole about the town liability for water testing. Both indicated that as long as the guidelines are followed there should be no issue.

Old Business

- 1. Holman Street Parking Area – any updates**
- 2. Forest Cutting Plans and updates**
- 3. Regulations and By-Law – update on town meeting**
- 4. Commission Education – MACC Meeting from March 5, 2016**
- 5. Storm Water By-Law**

Committee Reports

Notices & Communications

Meeting Schedule- Next meeting for May 4, 2016 at 7:00 PM In the Ritter Memorial Building.

Public Comment For Meeting Close:

338 Sunset Lane: Mr. Marro noted that he went on a site inspection Mr. Kennedy is that there has been an intrusion in the approved no cut zone. He noted based on measurements it was 5 feet closer than what was allowed. Mr. Marro reviewed the draft EO. Joanna Simeone asked for a copy of Mr. Lucks email on the initial complaint.

Lane property

It was noted that the newly constructed parking lot could use some crushed stone as much of it is getting soft.

83 West Street

The Chair noted that Bob Proctor had placed a sewer line in the buffer zone. Mr. Marro was going to send the documents to him.

Trapping :

Mr Bertram noted that there were three locations within the Cowdery area and noted the locations and the beaver activity. The chair asked for a motion to allow a certified trapper to remove the beaver. Mr Jones moved and Mr Bertram seconded and the commission voted unanimously.

Adjournment